

Application No.: 10/019,228
Art Unit 3752

Attorney Docket No. 0104-0374P
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REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 1-23 are now present in this application. The specification and the claims have been amended. Reconsideration of the application, as amended, is respectfully requested.

Priority Under 35 U.S.C. § 119

The Examiner has not acknowledged Applicant's claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority documents in this National Stage Application from the International Bureau. **Acknowledgment thereof by the Examiner in the next Office Action is respectfully requested.** The attention of the Examiner is respectfully directed to the Official Filing Receipt mailed on July 31, 2002 in this regard.

Objection to the Drawings

The Examiner has objected to the drawings because they do not illustrate the different cross-sectional shape of the groove in different parts of the hose. This is shown in the originally filed drawings, but now has been referenced by reference numeral "100". The specification has been amended to refer to this reference numeral. Support for this recitation is found, for example, in originally presented claim 8.

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Accordingly, approval of the corrected Figure 1 is requested. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 3 and 13 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. These rejections are respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis or is not clearly understood.

In order to overcome this rejection, Applicants have amended claim 3 to correct one of the deficiencies specifically pointed out by the Examiner. Applicants respectfully submit that the claim 13, as amended, and claim 3 as it stands, particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

With respect to claim 3, the Office Action states that claim 3 recites "the perform of the hose." Actually, claim 3 recites "the preform of the hose" which has proper antecedent basis in the language in lines 2 and 3 of claim 3 that "the hose is preformed."

With respect to claim 13, the objected-to language has been re-written to be more idiomatic and, therefore, clearer in meaning. Applicants respectfully submit that this amendment to claim 13 does not narrow the scope of claim 13 in any way.

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Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 1-5, 7, 9 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 3,318,335 to Heller. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claim 1 has been amended to recite that the wall has a substantially constant diameter and expansion portions have a substantially smaller diameter. Applicants respectfully submit that these positively recited features as set forth in independent claim 1 are not disclosed or made obvious by the applied prior art.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

With regard to dependent claims 2-10 and 20, Applicants submit that they depend either directly or indirectly from independent claim 1, which is allowable for the reasons set forth above, and therefore should be allowable. Reconsideration and allowance thereof are respectfully requested.

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Applicant also gratefully acknowledges that the Examiner considers claims 6, 8, 11, 12 and 14-19 to contain allowable subject matter. Limitations from claim 1 have been incorporated into claims 11 and 12; however the feature of "in a desirable manner" was omitted. Claim 13 includes similar limitations from claim 1 plus claims 14 and 16. The claim 14 and 16 limitations were recited in an alternative manner in claim 13 and then expressly recited in the remaining claims 14 and 16. As such, these independent claims 11, 12 and 13 should all now be in condition for allowance as well as their dependent claims.

Favorable reconsideration and withdrawal of all objections and rejections and allowance of all claims are respectfully requested.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the

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outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (703) 205-8000, in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is authorized to be charged to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Attachment: Replacement Drawing Sheet